

RECEIVED
CENTRAL FAX CENTER
DEC - 9 2008

MARTIN & FERRARO, LLP

ATTORNEYS AT LAW

17383 SUNSET BLVD, SUITE 315
LOS ANGELES, CALIFORNIA 90272Telephone
(310) 286-9800Facsimile
(310) 286-2795

FACSIMILE TRANSMITTAL

TO:**Name:** Mail Stop AF
Group Art Unit 3774 / Examiner Paul B. Prebilio**Firm:** U.S. Patent & Trademark Office**Fax No.:** 571-273-8300**Subject:** U.S. Patent Application No. 09/593,591

Gary K. Michelson

Filed: June 13, 2000

**MANUFACTURED MAJOR LONG BONE RING
IMPLANT SHAPED TO CONFORM TO A
PREPARED INVERTEBRAL IMPLANTATION
SPACE**

Attorney Docket No. 101.0078-00000

Customer No. 22882

Confirmation No.: 5619

FROM:**Name:** Amedeo F. Ferraro, Esq.**Phone No.:** 310-286-9800**No. of Pages (including this):** 44**Date:** December 9, 2008**Confirmation Copy to Follow:** NO

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Amendment After Final are being facsimile transmitted to the U.S. Patent and Trademark Office on December 9, 2008.


Sandra L. Blackmon

If there is a problem with this transmission please call the sender at the number above.

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

FORM PTO-1083

Attorney Docket No.: 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 09/593,591

Filed: June 13, 2000

For: MANUFACTURED MAJOR LONG BONE RING
IMPLANT SHAPED TO CONFORM TO A
PREPARED INVERTEBRAL IMPLANTATION
SPACE

Confirmation No.: 5819

Art Unit: 3774

Examiner: Paul B. Prebille

RECEIVED
CENTRAL FAX CENTER
DEC - 9 - 2008Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment After Final in reply to the Final Office Action dated October 9, 2008 in the above-identified application.

☒ No additional fee is required.☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	282	-	284	0	LG-\$62 SM-\$28	\$ 0
INDEPENDENT CLAIMS FEE	9	-	9	0	LG-\$220 SM-\$110	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$185	\$ 0
TOTAL						\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 8, write "8" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☐ The total amount of \$***.00 to cover the ***-month extension fee is to be charged to Deposit Account No. 60-3728.☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 60-3728. A copy of this sheet is enclosed.☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: December 9, 2008

By: Amadeo F. Ferraro
Registration No. 37,1291557 Lake OPines Street, NE
Hartsville, Ohio 44632
Telephone: (310) 286-0800
Facsimile: (310) 286-2785

Transmittal of Amendment 12-0-08.DOC

FORM PTO-1083

Attorney Docket No.: 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Gary K. Michelson
Serial No: 09/593,591
Filed: June 13, 2000
For: MANUFACTURED MAJOR LONG BONE RING
IMPLANT SHAPED TO CONFORM TO A
PREPARED VERTEBRAL IMPLANTATION
SPACE

Confirmation No.: 5819

Art Unit: 3774
Examiner: Paul B. Preblich

RECEIVED
CENTRAL FAX CENTER
DEC - 9 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment After Final in reply to the Final Office Action dated October 9, 2008 in the above-identified application.

- ☒ No additional fee is required.
☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	222	-	284 **	0	LG-\$52 SM-\$28	\$ 0
INDEPENDENT CLAIMS FEE	0	-	0 ***	0	LG-\$220 SM-\$110	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$280 SMALL ENTITY FEE = \$195	\$ 0
TOTAL						\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Oct. 1 of a prior amendment or the number of claims originally filed.

- ☐ The total amount of \$***.00 to cover the ***-month extension fee is to be charged to Deposit Account No. 50-3728.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3728. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: December 9, 2008

By: Amadeo F. Ferraro
Registration No. 37,129

1657 Lake O'Pines Street, NE
Hartsville, Ohio 44832
Telephone: (310) 288-8800
Facsimile: (310) 288-2785

Transmitted of Amendment 12-0-08.DOC

**RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3774**

PATENT
Attorney Docket No. 101.0078-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gary K. Michelson
Serial No.: 09/593,591
Filed: June 13, 2000
For: MANUFACTURED MAJOR LONG
BONE RING IMPLANT SHAPED
TO CONFORM TO A PREPARED
INTERVERTEBRAL
IMPLANTATION SPACE

) Confirmation No.: 5619
)
) Group Art Unit: 3774
) Examiner: Paul B. Prebille

RECEIVED
CENTRAL FAX CENTER
DEC - 9 2008

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY AFTER FINAL

In reply to the Final Office Action of October 9, 2008, the Applicant submits the following remarks:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 37 of this paper.

Amendment After Final 12-9-08.doc